

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants: JEFFREY M. STEFAN, et al.
Serial No.: 10/077,013
Filed: February 13, 2002
Confirmation No.: 1333
Examiner/Art Unit: Nghi H. Ly/2686
For: METHOD FOR BROADCAST FILTERING USING
CONVEX HULLS

RESPONSE TO NOTICES OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This response is filed based on the Notices of Non-Compliant Appeal Brief dated April 16, 2007 and April 20, 2007, and is submitted in support of the Appeal Brief filed on May 16, 2006. This Response includes a Summary of Claimed Subject Matter intended to replace the Summary of Claimed Subject Matter set forth in the Appeal Brief filed by Appellants on May 16, 2006.

Please replace the Summary of Claimed Subject Matter with the following:

5. SUMMARY OF CLAIMED SUBJECT MATTER

Pending claims 1-8 and 21-22 are directed to method(s) of providing information to a mobile vehicle user, claims 9-16 are directed to a computer usable medium including a program for providing information to a mobile vehicle user, and claims 17-20 are directed to a system for providing information to a mobile vehicle user. With general reference to Figure 1, reproduced hereinbelow, common elements of each claim include a mobile vehicle 110, broadcast information comprising information location coordinate data, and a convex hull 210 (shown in Fig. 2, also reproduced hereinbelow) within which the coordinate data may reside.

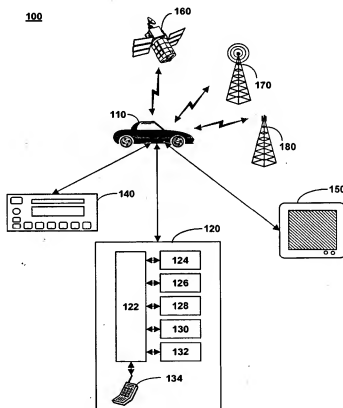


FIGURE 1

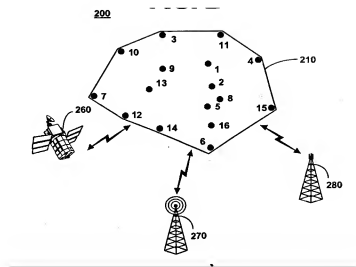


FIGURE 2

Recitation of the claimed subject matter may be found at least at the locations in the specification and the drawings as cited below.

A. Independent Claim 1

Claim 1 is an independent claim directed to a method of providing information to a mobile vehicle user. With specific reference to Figure 3 (reproduced below), the method includes receiving broadcast information at the mobile vehicle (Block 320), wherein the broadcast information comprises information location coordinate data. (Page 13, lines 10-18). The method further includes determining whether the information location coordinate data resides within a convex hull (Block 330). (Page 13, lines 26-30). The method also includes presenting the broadcast information to the mobile vehicle user based on the determination (Blocks 340 and 345). (Page 14, lines 16-25).

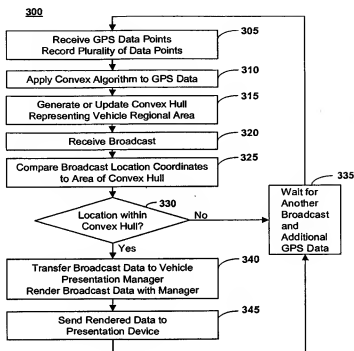


FIGURE 3

B. Independent Claim 9

Claim 9 is an independent claim directed to a computer usable medium including a program for providing information to a mobile vehicle user. As generally found on page 10, line 24 through page 11, line 6, and on page 7, lines 2-4, the computer usable medium includes a computer program code to receive broadcast information at the mobile vehicle, wherein the broadcast information comprises information location coordinate data. The computer usable medium further includes a computer program code to determine whether the information location coordinate data resides within a convex hull, and a computer program code to present the broadcast information to the mobile vehicle user based on the determination.

C. Independent Claim 17 and Dependent Claims 18-20

Claim 17 is an independent claim directed to a system for providing information to a mobile vehicle user. With general reference again to Figure 1, the system 100 includes means (e.g., digital signal processor 122) (see generally page 7, lines 2-12) for receiving broadcast information at the mobile vehicle 110, wherein the broadcast information comprises information location coordinate data and at least one data string (see page 10, lines 26-29). The system 100 further includes means (e.g., telematics unit 120 or digital signal processor 122) for determining whether the information location coordinate data resides within a convex hull 210 (shown in Fig. 2). (See page 10, line 26 through page 11, line 6). The system 100 also includes means (e.g., speaker 132, audio device 140, or visual display device 150) for presenting the broadcast information to the mobile vehicle user based on the determination. (See page 8, lines 2-8).

Claims 18-20 are claims depending directly from independent claim 17. Claim 18 includes means (e.g., digital signal processor 122) for recording a plurality of vehicle location coordinates (see page 10, lines 2-4 and page 11, lines 15-23). Claim 18 further includes means (e.g., digital signal processor 122) for generating the convex hull 210 from the recorded vehicle location coordinates (see page 10, lines 4-6).

Claim 19 includes means (e.g., GPS unit 126 and/or digital signal processor 122) for updating the convex hull 210 based on a coordinate input (see page 11, lines 24 through page 12, line 5).

Claim 20 includes means (e.g., telematics unit 120) for transferring the broadcast information to a vehicle presentation manager (which is contained in the telematics unit 120) (see page 14, lines 16-21). Claim 20 further includes means (e.g., telematics unit 120) for rendering the broadcast information with the vehicle presentation manager (see page 8, lines 5-8), and means (e.g., presentation manager) for sending the broadcast information to a presentation device (e.g., audio device 140 or display device 150) (see page 14, lines 22-25).

D. Independent Claim 21

Claim 21 is an independent claim directed to another method of providing information to a mobile vehicle user. General reference is again made to Figures 1 and 3. The method includes receiving broadcast information at the mobile vehicle 110 (Block 320), wherein the broadcast information comprises information location coordinate data. (Page 13, lines 10-18). The method further includes determining whether the information location coordinate data resides within a convex hull 210 (Block 330) incorporating data from an in-vehicle GPS unit 126. (See generally page 10, lines 2-6). The method also includes presenting the broadcast information to the mobile vehicle 110 user based on the determination. (Blocks 340 and 345). (Page 14, lines 16-25).

Specific reference to portions of the application is provided with the understanding that non-referenced portions of the application may also be relevant. It should, thus, be understood that the claims are not limited by the particular references made above, but rather are fully supported by the entire disclosure.

REMARKS

The Notices of Non-Compliant Appeal Brief mailed April 16, 2007 states that the Summary of Claimed Subject Matter in the brief does not map the independent claims on appeal, which shall refer to the specification by page and line number and to the drawings (if any) in accordance with 37 CFR 41.37(c)(1)(v). The Notice of Non-Compliant Appeal Brief mailed April 20, 2007 states that the content furnished under the heading "Summary of Claimed Subject Matter" is not commensurate in scope with 37 CFR 41.37(c)(1)(v) because there is no descriptive support for the subject matter defined in each of the independent and dependent claims on appeal. Thus, the section entitled, "Summary of Claimed Subject Matter" of the Appeal Brief filed on May 16, 2006 is rendered defective under both of these notices.


In response thereto, Appellants have submitted herewith a replacement section entitled, "Summary of Claimed Subject Matter" that complies with the applicable section(s) of 37 CFR 41.37. Accordingly, Appellants respectfully request consideration and approval of the instant replacement section for the Appeal Brief filed May 16, 2006.

In summary, Appellants submit that the Appeal Brief is now in compliance with 37 CFR 41.37, and acceptance of the replacement Summary of Claimed Subject Matter for the Appeal Brief is respectfully requested.

If the Examiner believes it would expedite review of the Appeal Brief, the Examiner is cordially invited to contact Appellants' Attorney at the below-listed telephone number.

Respectfully submitted,

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